

city of  
**CINCINNATI**

Interdepartmental Correspondence Sheet



Date: 2/12/19

To: Elliot Isaacs, Police Chief  
From: Lt. Joseph Williams, District Three

Copies to:

Subject: Misconduct by PO Robert Johnson and Mary Kilgore

---

On February 5, 2019 I received an email from you as it relates to PO Mary Kilgore and PO Robert Johnson remaining stationary, for an extended period of times, in the rear of the District Three parking lot. This was observed on the District Three Surveillance cameras.

As it relates to PO Robert Johnson the email relayed the following information. On 2/5/19 Robert Johnson entered the District Three building at 0109 hours and returned to his vehicle at 0158hours, drove to the rear of the parking lot and stayed there until approximately 0551 hours when he was dispatched to a suicidal subject run on St. Williams. When I and Sgt. Copenhaver approached PO Johnson about the incident and ask if the facts were accurate, he acknowledged that it was. I then instructed him to type a Form 17 addressed to the District Commander explaining his actions. In his Form 17, Officer Johnson claims to have been in the back lot studying for the sergeant's exam. He claims that it was a safe and secure location and that is why he chose it. He further stated that he lost track of time. That was the reason he was there for so long.

Officers Johnsons actions were in violation to the Manual of Rules and Regulations 1.01.A. to wit:

1.01 Members shall not commit any acts or omit any acts, which constitute a violation of any of the rules, regulations, procedures, directives, or orders of the Department.

A. A violation which does not entail a risk of nor leads to physical injury to another or financial loss to the City.

Officers Johnsons actions were also a violation of the Departments Job Specifications which state that officers will:

1. Shall devote the maximum possible time to the performance of basic duties, remaining in the station or office only when necessary.
2. Be familiar with area of assignment and conduct a diligent patrol, accentuating prevention rather than arrests, by giving particular attention to locations most susceptible to the occurrence of crime.

By sitting in the lot for over 3 hours, the officer put himself out of position to assist other officers assigned to his beat. He increased the response time to calls for service in his assigned area. And

he was not in a position to conduct proactive patrols that could have been valuable in detecting or deterring various crimes on his beats, in particular "thefts from autos" which have been an issue.

This is the second time Officer Johnson failed to give the proper service to his assigned beat. On July 26, 2018, Officer Johnson was dispatched to a shots fired run into a habitation. He failed to make contact with the suspect, inspect the domicile in question or even get out of the car. This incident was investigated and the officer was given a written reprimand. For which he refused to sign, even though he acknowledged his shortcomings as it related to the incident.

As it relates to PO Mary Kilgore the email relayed the following information. On 2/5/19 Mary Kilgore entered the District Three parking lot at 0357. Another car followed her through the gate and into the parking lot. Both cars went to the back of the lot and sat until 0433 which is when Officer Kilgore was dispatched to a run on St. Williams. In conversations with Sgt. Whitis, it was also learned both cars went to the rear of the parking lot and backed in next to each other. Neither operator got out of the car. And they left within minutes of each other.

When I and Sgt. Copenhaver approached PO Kilgore about the incident and ask if the facts were accurate, she acknowledged that they were. I then instructed her to type a Form 17, addressed to the District Commander explaining her actions. In her Form 17, Officer Kilgore claims to have been in the back lot studying for the sergeant's exam. She claims that it was a safe and secure location and that is why she chose it. When ask who the other officer was that came in the gate she told us that "she did not recall". I told her to include that in her initial Form 17, which she did. After reviewing her initial Form 17, I had her Sig 2 to my office. At 0330 I instructed her to rewrite her Form 17 to include why she was not on her beat and once more explain that she did not recall an incident that occurred two days ago. When the car in question came in the lot behind her followed her to the rear of the parking lot, backed in next to her and sat with her until she left.

In her revised form she continued to deny knowing who came in the district lot with her, but acknowledged that she had a conversation with PO Johnson. This response is still less than truthful. It appears that for whatever reason she feels it is allowable to mislead her relief supervisors. It is my opinion that Officer Kilgore's response is dishonest.

Officers Kilgore's actions were in violation to the Manual of Rules and Regulations 1.01.A. to wit:

1.02 Members shall not commit any acts or omit any acts, which constitute a violation of any of the rules, regulations, procedures, directives, or orders of the Department.

B. A violation which does not entail a risk of nor leads to physical injury to another or financial loss to the City.

Officers Kilgore's actions were also a violation of the Departments Job Specifications which state that officers will:

3. Shall devote the maximum possible time to the performance of basic duties, remaining in the station or office only when necessary.
4. Be familiar with area of assignment and conduct a diligent patrol, accentuating prevention rather than arrests, by giving particular attention to locations most susceptible to the occurrence of crime.

The Officers actions are also in violation of the Departments Job Specifications which state that officers shall:

1. Shall devote the maximum possible time to the performance of basic duties, remaining in the station or office only when necessary.
2. Be familiar with area of assignment and conduct a diligent patrol, accentuating prevention rather than arrests, by giving particular attention to locations most susceptible to the occurrence of crime.

This whole incident could easily have been handled in house had the truth been forth coming. But because of the deceptions and misleading statements it has begun to escalate and there really is not a need for it. Officer Kilgore will be reassigned to another beat as well, I also recommend an ESL for the Job Specification violation. But as it relates to her lack of cooperation, that is your discretion based on the outcome of whatever conversation you have with her if you so choose. Either way, the behavior can't be ignored.

As it relates to both officers, if their beats were not safe enough to review study material during their down time, then they should have been in the field making it safe. With the issues we have been having with safe cracking and thefts from autos, there is no reason for them to have been in the parking lot.

I have addressed the rest of the relief and advised them that going forward there will be serious ramifications if this district is repeated by anyone on this relief (early or late).

L22/JW

city of  
**CINCINNATI**

Interdepartmental Correspondence Sheet



Date: February 6, 2019,

To: Captain Paul F. Broxterman, District Three Commander

From: Sergeant Kenneth Hall, District Three

Copies to:

Subject: District Three Rear Lot

---

On February 6, 2019, I, Officer Robert Johnson, (P631) was working as a District Three Third Shift uniformed patrol unit, unit 3251. At approximately 2am, I responded to the rear lot of District Three to study and prepare for the next supervisors exam. At the time I responded to the Rear lot, there was very little radio traffic regarding my area of coverage.

I chose to respond to the rear lot due to the fact that not only is it monitored by department cameras, but also because of the security that it provides due to being a fenced in lot. I did not feel that responding to the rear lot to study was in violation of any department procedures, policies or district S.O.P.

I felt that it would be much safer to study in the security of the fenced in rear lot than out in a public location where there was more of a chance of someone approaching the police vehicle undetected, I also did not feel that I was violating any procedures or rules by parking in the rear lot to study due to the number of previous officers, as well as supervisors, that have utilized the rear lot to study for promotional exams over the years for extended periods of time during their shifts that this would not be an issue.

My intentions were to park in the rear lot and study for a short period of time, and then respond back out to my area of coverage, but due to there being such a lack of radio traffic, and being immersed in study material, I lost track of time.

RJ /